THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.4605 OF 2006

Date:09-03-2006

Between:

M/s Sri Surya Movies … Petitioner

And

The Deputy Commercial Tax Officer … Respondent

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.4605 OF 2006

O R D E R (Per the Hon'ble Sri Bilal Nazki, J):

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Heard learned counsel for the parties and with their consent, the writ petition is being disposed of at this stage.

Earlier appeals were filed by the petitioner before the Appellate Deputy Commissioner and pending appeals stay was rejected. Petitioner filed Writ Petition No.26076 of 2005. This Court while disposing of the writ petition granted stay of recovery on payment of 50 per cent of the disputed liability. The petitioner has lost before the Appellate Deputy Commissioner and has approached the Sales Tax Appellate Tribunal by way of appeals. Pending appeals before the Tribunal, he seeks stay of recovery as he has already paid 50 per cent of the disputed liability in terms of our order in the earlier writ petition.

The writ petition is allowed and the recovery of the balance disputed tax is stayed till the appeals pending before the Tribunal are decided. No order as to costs.

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(Bilal Nazki, J)

9th March, 2006

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(G.Chandraiah, J)

Note: Issue wire at party's cost

(b/o) vrn